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8 **UNITED STATES BANKRUPTCY COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 In re:
11 MARC JOSEPH SPIZZIRRI,
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16 Debtor.
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CASE NO.: 8:13-bk-14702MW

CHAPTER 7

**EVIDENTIARY OBJECTIONS TO
THE DECLARATION OF MARC
JOSEPH SPIZZIRRI**

Date: January 11, 2016
Time: 2:00 p.m.
Ctvm: 6C

22 Objecting Creditors, MACH-1 RSMH, LLC, MACH-1 AUTOGROUP, LLC;
23 and CRAIG BAPTISTE, object to the Declaration of Marc Joseph Spizzirri filed in
24 support of his motion to voluntarily dismiss his Chapter 7 case as follows:
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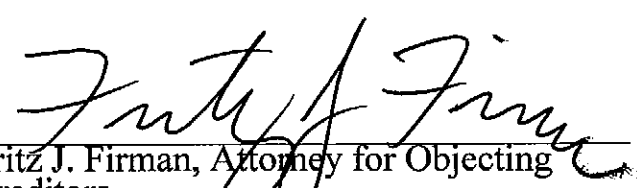
<u>Material Objected To:</u>	<u>Grounds For Objection</u>
1. Page 9, ¶2: “Virtually all of my nonexempt assets have been fully administered other than my interest in DFG Group Investors, LLC (“DFG”).”	Federal Rule of Evidence 602. Vague as to what “virtually” means Lacks foundation Conclusion
2. Page 9, ¶3: “I am uncertain if and when I will receive a distribution on account of my interest in DFG.”	Federal Rule of Evidence 602 Vague Lacks foundation Speculation Fails to identify or quantify the Declarant’s interest in DFG

WHEREFORE, the Objecting Creditors pray:

1. That Creditors’ evidentiary objections to the testimony of the Debtor, Marc Joseph Spizzirri, be sustained in their entirety;
2. That the portions of the testimony of the Debtor to which Objecting Creditors have objected be stricken from the record; and
3. For such other and further relief that the court may deem just and proper.

DATED: December 28, 2015

By:


Fritz J. Firman, Attorney for Objecting
Creditors
MACH-1 RSMH, LLC; MACH-1
AUTOGROUP, CRAIG BAPTISTE

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1503 South Coast Drive
Suite 209
Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled (*specify*): EVIDENTIARY OBJECTIONS TO THE DECLARATION OF MARC JOSEPH SPIZZIRRI will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 12/28/2015, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

US Trustee - ustregion16.sa.ecf@usdoj.gov

Trustee's Attorney Nanette Sanders - becky@ringstadlaw.com

Opposing counsel William Lobel - wlobel@lwgfllp.com

Former counsel for Official Creditors Committee Rob Goe - kmurphy@goeforlaw.com

Attorney for Debtor Reem Bello - rbello@ringstadlaw.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On 12/28/2015, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
Marc Joseph Spizzirri
30721 Hunt Club Drive
San Juan Capistrano, CA 92675

Judge
Honorable Mark Wallace
US Bankruptcy Court
411 W. Fourth Street, Ste. 6135
Santa Ana, CA 92701-4593

Chapter 7 Trustee
Bradley R. Sharp (TR)
333 So. Grand Ave, Ste. 4070
Los Angeles, CA 90071-1544

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

12/28/2015

Jackson Clerisse

Date

Printed Name

Jackson Clerisse
Signature